Response to August 31, 2010 Office Action

Amendment dated January 20, 2011

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An article of swimwear comprising, in combination:

a swimsuit body configured to be stretched over a swimmer's body such that the entire

swimsuit body provides a conforming fit on a swimmer's body and substantially an entire

interior surface of the swimsuit body is in contact with the swimmer's body when the swimsuit

body is worn by a user, and having at least one aperture configured to encircle a portion of a

swimmer's body when the swimsuit body is worn by a user; and

a resilient seal having an interior surface, a first portion of the interior surface secured

about the at least one aperture on an exterior of the swimsuit body and a second portion of the

interior surface extending beyond the swimsuit body and configured to contact the user's body

when the swimsuit body is worn by the user, wherein an exterior surface of the resilient seal is

completely exposed to an exterior of the swimsuit body.

2. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit

body with an adhesive.

3. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit

body with stitching.

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4. (Original) The article of swimwear of claim 1, wherein the seal is secured to the swimsuit

body by welding.

5. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle

the waist of a user.

6. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle

an upper portion of the torso of a user.

7. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle

the arm of a user.

8. (Original) The article of swimwear of claim 1, wherein the aperture is configured to encircle

the neck of a user.

9. (Original) The article of swimwear of claim 1, wherein the seal is formed of an elastomer.

10. (Original) The article of swimwear of claim 1, wherein the seal is formed of one of silicone.

rubber, latex and urethane.

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11. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a full length

body suit.

12. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a tight

configured to extend from a user's waist to a point proximate the user's ankles.

13. (Original) The article of swimwear of claim 1, wherein the swimsuit body is a pair of shorts.

14. (Original) The article of swimwear of claim 1, further comprising a harness assembly, the

harness assembly connected to the seal at an upper edge of a front of the swimsuit body and to

the seal at an upper edge of a back of the swimsuit body, the harness configured to extend over a

user's shoulders

15. (Original) The article of swimwear of claim 14, wherein the harness assembly is of unitary

construction with the seal.

16. (Original) The article of swimwear of claim 14, wherein the harness assembly includes a

pair of shoulder straps and a back strap, each shoulder strap secured at a first end thereof to the

seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end

of the back strap, an opposed second end of the back strap secured to the seal at the upper edge

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of the back of the swimsuit body.

17. (Original) The article of swimwear of claim 14, wherein the harness assembly includes a

pair of shoulder straps, a back strap, and a pair of transverse straps, each shoulder strap being

secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at

a second end thereof to a first end of the back strap, an opposed second end of the back strap

being secured to first ends of each of the transverse straps, opposed second ends of the transverse

straps being secured to the seal at opposed sides of the back of the swimsuit body.

18. (Original) The article of swimwear of claim 17, wherein the upper edge of the seal at the

back of the swimsuit body and the transverse straps define an aperture.

19. (Original) The article of swimwear of claim 1, wherein at least a portion of an outer side of

the seal is tapered to a peripheral edge of the seal.

20. (Original) The article of swimwear of claim 1, wherein an interior surface of the seal

includes a recess configured to receive a portion of the swimsuit body.

21. (Currently Amended) An article of swimwear comprising, in combination:

a swimsuit body configured to be stretched over a swimmer's body such that the entire

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swimsuit body provides a conforming fit on a swimmer's body and substantially an entire

interior surface of the swimsuit body is in contact with a swimmer's body when the swimsuit

body is worn by a user, and having at least one aperture configured to encircle a portion of a

swimmer's body when the swimsuit body is worn by a user and configured to be a leading edge

of the swimsuit when the user is swimming; and

a resilient seal having an interior surface, a first portion of the interior surface secured

about the at least one aperture on an exterior of the swimsuit body and a second portion of the

interior surface extending beyond the swimsuit body and configured to contact the user's body

when the swimsuit body is worn by the user wherein an exterior surface of the resilient seal is

completely exposed to an exterior of the swimsuit body.

22. (Original) The article of swimwear of claim 21, wherein the seal is secured to the swimsuit

body with an adhesive.

23. (Original) The article of swimwear of claim 21, wherein the seal is secured to the swimsuit

body with stitching.

24. (Original) The article of swimwear of claim 21, wherein the aperture is configured to

encircle the waist of a user.

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25. (Original) The article of swimwear of claim 21, wherein the aperture is configured to

encircle an upper portion of the torso of a user.

26. (Original) The article of swimwear of claim 21, wherein the aperture is configured to

encircle the arm of a user.

27. (Original) The article of swimwear of claim 21, wherein the aperture is configured to

encircle the neck of a user.

28. (Original) The article of swimwear of claim 21, wherein the seal is formed of one of

silicone, rubber, and latex.

29. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a full length

body suit.

30. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a tight

configured to extend from a user's waist to a point proximate the user's ankles.

31. (Original) The article of swimwear of claim 21, wherein the swimsuit body is a pair of

shorts.

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32. (Original) The article of swimwear of claim 21, further comprising a harness assembly, the

harness assembly connected to the seal at an upper edge of a front of the swimsuit body and to

the seal at an upper edge of a back of the swimsuit body, the harness configured to extend over a

user's shoulders.

33. (Original) The article of swimwear of claim 32, wherein the harness assembly is of unitary

construction with the seal.

34. (Original) The article of swimwear of claim 32, wherein the harness assembly includes a

pair of shoulder straps and a back strap, each shoulder strap secured at a first end thereof to the

seal at the upper edge of the front of the swimsuit body and at a second end thereof to a first end

of the back strap, an opposed second end of the back strap secured to the seal at the upper edge

of the back of the swimsuit body.

35. (Original) The article of swimwear of claim 32, wherein the harness assembly includes a

pair of shoulder straps, a back strap, and a pair of transverse straps, each shoulder strap being

secured at a first end thereof to the seal at the upper edge of the front of the swimsuit body and at

a second end thereof to a first end of the back strap, an opposed second end of the back strap

being secured to first ends of each of the transverse straps, opposed second ends of the transverse

straps being secured to the seal at opposed sides of the back of the swimsuit body.

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36. (Original) The article of swimwear of claim 35, wherein the upper edge of the seal at the back of the swimsuit body and the transverse straps define an aperture.